THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.24535 OF 2005

Dt.18.11.2005

Between:

J.Ramachandrappa … Petitioner

And

Director of Civil Supplies,

Government of Andhra Pradesh,

Hyderabad and 3 others. … Respondents

ORDER:

Heard the learned counsel for the petitioner as well as learned Government Pleader for Civil Supplies on behalf of respondents 1 to 4 and also Mr.K.Rajanna, learned counsel appearing on behalf of the new Fair Price Shop dealer pursuant to the bifurcation.

The petitioner questions the proceedings of the District Collector, Anantapur, dated 9.10.2005 bifurcating the shop of the petitioner and allotting the said shop to another person. The petitioner also filed an appeal before the Director of Civil Supplies, Government of Andhra Pradesh, Hyderabad on 3.11.2005. Along with the appeal, he has also filed an application for stay of the impugned orders and the same has been received by the first respondent.

The learned counsel appearing for the newly bifurcated Fair Price Shop submits that bifurcation has been made pursuant to the

guidelines issued by the Government and therefore it cannot be said that there is an illegality committed by the 2nd respondent.

As the appeal is pending before the first respondent, it is for him to consider and dispose of the same. Therefore, I am not inclined to grant any stay of the impugned proceedings made by the 2nd respondent when the parallel proceedings are pending before the first respondent. Accordingly, the first respondent is directed to consider and dispose of the said appeal after hearing the petitioner as well as the newly bifurcated Fair Price Shop dealer within four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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(V.ESWARAIAH, J.)

18.11.2005

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